

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

3V, INC., a Delaware Corporation,	)	
	)	
Plaintiff	)	
	)	C.A. No. 06-00593-JJF
v.	)	
	)	
CIBA SPECIALTY CHEMICALS	)	
CORPORATION, a Delaware Corporation,	)	
	)	
Defendant.	)	
_____	)	
CIBA SPECIALTY CHEMICALS	)	
CORPORATION, a Delaware Corporation,	)	
	)	
Cross-Plaintiff	)	
	)	C.A. No. 06-00629-JJF
v.	)	
	)	
3V, INC., a Delaware Corporation,	)	
	)	
Cross-Defendant.	)	
_____	)	

**3V, INC.'S FED. R. CIV. P. 26(a)(1) INITIAL DISCLOSURES**

Pursuant to Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2, Plaintiff/Counterclaim Defendant 3V, Inc. ("3V"), in C.A. 06-00593-JJF and as Defendant/Counterclaim Plaintiff in C.A. No. 06-00629-JJF, by and through its attorneys, hereby provides the following initial disclosures to CIBA SPECIALTY CHEMICALS CORPORATION ("CIBA"), Defendant/Counterclaim Plaintiff in C.A. No. 06-00593-JJF and Plaintiff/Counterclaim Defendant in C.A. No. 06-00629-JJP:

1. 3V submits this disclosure statement without waiver of any applicable privilege.

2. 3V expressly reserves its right to object to the admission at trial of any information contained in or derived from this disclosure statement on the grounds of privilege, relevancy, materiality, admissibility, or other applicable grounds.

3. 3V does not concede the relevance of any information contained in or derived from this disclosure statement.

4. 3V reserves the right to rely upon the individuals named and documents identified in CIBA's initial disclosure statement.

5. 3V reserves the right to rely upon the individuals identified in this disclosure statement or CIBA's disclosure statement, for subjects other than those identified in either disclosure statement.

6. 3V's investigation in this matter is ongoing and discovery has not yet commenced in this action. 3V reserves the right to supplement these disclosures as the action proceeds.

### **DISCLOSURES**

**A. Disclosure Pursuant to Rule 26(a)(1)(A):** The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

#### **ANSWER:**

**I. Current employees of 3V or Affiliates**

888 Woodstock Street  
Georgetown, South Carolina  
Telephone: (843)546-8556

1. Dr. Francesco Chillura, Attorney for 3V Sigma- international regulatory and patent information relating to UVASORB HA88

2. Dr. Massimo Quintini, Patents and Regulatory Affairs, 3V Sigma-composition and testing of Uvasorb HA88

3. John Schroer, Regulatory Affairs Manager, 3V-filings with FDA

4. Dr. Giorgio Zanchi, Process Technology Chemist, 3V-composition and testing of Uvasorb HA88

**B. Disclosure Pursuant to Rule 26(a)(1)(B):** A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

3V may use the following categories of documents, data compilations, and tangible things, at trial:

1. File wrapper for U.S. patent 5,658,973
2. Declaration of John Schroer - 2/21/06
3. Material Safety Data Sheet for Uvasorb HA 88
4. CAS Registry Number 136 504-96-6
5. Applicant Argument or Remarks Made in an Amendment, 8/10/94
6. Application No. 10/081,291, "Preliminary Amendment" filed 22 February 2002
7. Record of Interference Proceeding No. 105,262
8. Declarations of Dr. Georgio Zanchi - 7/22/05, 2/21/06
9. European Patent Application 95-810042.2 (English-language translation)
10. File Wrapper for U.S. Patent 4,477,615
11. European Patent No. 0 709 426
12. Declaration of Dr. Massimo Quintini, 2/21/06

**C. Disclosure Pursuant to Rule 26(a)(1)(C):** A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

3V is not currently aware of any category of damages to which it may be entitled, except that it shall seek to recover all of the costs and fees incurred in this lawsuit. 3V reserves the right to supplement this disclosure as discovery in this action proceeds.

**D. Disclosure Pursuant to Rule 26(a)(1)(D):** For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

Not applicable, based upon current information.

Dated: March 19, 2007

STEVENS & LEE, P.C.

By: /s/ Joseph Grey

Joseph Grey (ID 2358)

1105 North Market Street, Seventh Floor  
Wilmington, DE 19801

Telephone: (302) 654-5180

Telecopier: (302) 654-5181

E-Mail: jg@stevenslee.com

Raymond C. Stewart

Quentin R. Corrie

Birch, Stewart, Kolasch & Birch, LLP

8110 Gatehouse Road

Suite 100 East

Falls Church, VA 22040-0747

(703) 205-8000

*Counsel for the Cross-Defendant 3V, Inc.*

**CERTIFICATE OF SERVICE**

I, Joseph Grey, hereby certify that, on this 19th day of March, 2007, and in addition to the service provided by the Court's MC/ECF system, I caused true and correct copies of the foregoing Initial Disclosures to be served on CIBA Specialty Chemicals Corporation ("CIBA") by first class, United States mail, postage prepaid and addressed to CIBA's counsel as follows:

Frederick L. Cottrell, III, Esquire  
Chad M. Shandler, Esquire  
Richards Layton & Finger  
One Rodney Square, 10th Floor  
P.O. Box 551  
Wilmington, DE 19899

Alan E.J. Branigan, Esquire  
Brion Heaney, Esquire  
Michael Culver, Esquire  
Millen White Zelano & Branigan, P.C.  
2200 Clarendon Boulevard  
Suite 1400  
Arlington, VA 22201

/s/ Joseph Grey  
Joseph Grey

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FOR THE DISTRICT OF DELAWARE

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Plaintiff	)	
	)	C.A. No. 06-00593-JJF
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CIBA SPECIALTY CHEMICALS	)	
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Cross-Plaintiff	)	
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v.	)	
	)	
3V, INC., a Delaware Corporation,	)	
	)	
Cross-Defendant.	)	
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**NOTICE OF SERVICE**

PLEASE TAKE NOTICE, that, on March 19, 2007, Defendant 3V, INC. Pursuant to Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2, Plaintiff/Counterclaim Defendant 3V, Inc. ("3V"), in C.A. 06-00593-JJF and as Defendant/Counterclaim Plaintiff in C.A. No. 06-00629-JJF, served their *FED. R. CIV. P. 26(a)(1) INITIAL DISCLOSURES* by mailing true and correct copies of the same to counsel CIBA Specialty Chemicals Corporation ("CIBA") at the addresses indicated on the attached Certificate of Service.

Dated: March 20, 2007

STEVENS & LEE, P.C.

By: /s/ Joseph Grey

Joseph Grey (ID 2358)  
1105 North Market Street, Seventh Floor  
Wilmington, DE 19801  
Telephone: (302) 654-5180  
Telecopier: (302) 654-5181  
E-Mail: [jg@stevenslee.com](mailto:jg@stevenslee.com)

Raymond C. Stewart  
Quentin R. Corrie  
Birch, Stewart, Kolasch & Birch, LLP  
8110 Gatehouse Road, Suite 100 East  
Falls Church, VA 22040-0747  
(703) 205-8000